

AO91 (Rev. 8/01) Criminal Complaint

U.S. MAGISTRATE COURT
JSH - SDTY

United States District Court

OCT - 8 2014 CLR

SOUTHERN

DISTRICT OF

TEXAS

U.S. District Court,
Laredo Division

UNITED STATES OF AMERICA

V.

Lorray NELSON
Grand Prairie, Texas

CRIMINAL COMPLAINT

Case Number: 5:14mj 1297-1

I, the undersigned complainant state that the following is true and correct to the best of my

knowledge and belief. On or about October 7, 2014 in Webb County, in
(Date)
the Southern District of Texas, Lorray NELSON

did unlawfully conspire to transport Mexican aliens Oscar RUIZ-Garcia and Julio CONTRERAS-Hernandez, along with six (6) other undocumented aliens from Mexico and El Salvador, by means of a motor vehicle within the Southern District of Texas, knowing or in reckless disregard of the fact that said undocumented aliens had come to, entered, or remained in the United States in violation of law, and transported or moved said undocumented aliens within the United States by means of motor vehicle or otherwise, in furtherance of such violation of law.

in violation of Title 8 United States Code, Section(s) 1324 (a) (1) (A) (ii)

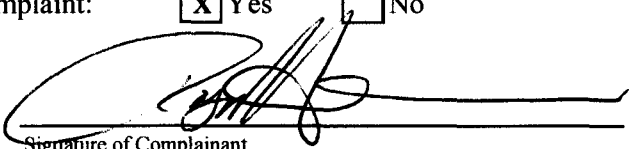
Special Agent,

I further state that I am a(n) Homeland Security Investigations and that this complaint is based on the
Official Title

following facts: based on statements of the accused and records of the Immigration & Naturalization Service.

See Attachment "A"

Continued on the attached sheet and made a part of this complaint:

☒ Yes☐ No

Signature of Complainant

Roy Huron

Printed Name of Complainant

Sworn to before me and signed in my presence,

October 8, 2014

Date

at

Laredo, Texas

City and State

Honorable J. Scott Hacker

U.S. Magistrate Judge

Name and Title of Judicial Officer


Signature of Judicial Officer

United States of America

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vs

Lorray NELSON

[CONT OF BASIS OF COMPLAINT]

On October 6, 2014 at approximately 11:02p.m., a Border Patrol Agent (BPA) assigned to the Freer U.S. Border Patrol checkpoint located on State Highway 59 northeast of Laredo, Texas conducted an immigration inspection of the driver of a red Freightliner semi-tractor displaying Texas License Plates _____, and hauling a white trailer displaying _____. During the immigration inspection the BPA observed the driver, later identified as Lorray NELSON _____, appeared to be very nervous and avoided eye contact with the agent. The BPA asked NELSON if anyone else was in the tractor with him, and NELSON replied "No". The BPA then asked NELSON if he could open the curtain behind him in order to conduct a visual inspection of the sleeper compartment. At which time NELSON with his hands shaking nervously pretended to move the curtain. While NELSON was moving the curtain the BPA observed a human leg sticking out from the sleeper compartment.

The BPA then instructed NELSON to turn off the tractor at the primary inspection lane, and asked NELSON to get down from the tractor in order to conduct a further inspection. BPAs then went in the tractor and opened the curtain fully and discovered eight (8) subjects in the cab. BPAs conducted immigration inspections on the eight (8) subjects, and it was determined that all eight (8) had entered the United States illegally by wading across the Rio Grande River without being inspected and had no legal right to remain in the United States. Six (6) of the subjects were citizens of Mexico and two (2) were citizens of El Salvador.

BPAs then escorted NELSON and the eight (8) subjects inside the Border Patrol checkpoint. BPAs then contacted Homeland Security Investigation (HSI) Special Agents (SA) for investigative assistance with the case.

HSI SAs conducted interviews of all subjects involved. On October 07, 2014, at approximately 1:50a.m., HSI agents read NELSON his Miranda Rights to which he freely stated he understood. NELSON refused to answer any questions pertaining to the event and requested to speak to an attorney before making any statements. Subsequently, the interview with NELSON was terminated.

HSI SAs interviewed the eight (8) UDAs and each stated that they were transported from either a stash house or hotel, by a male subject who drove a dark colored Ford Expedition to an awaiting tractor, noting that they were instructed to climb in the cab of the tractor and to hide within the sleeper compartment. The UDAs further stated that the tractor's engine was purposely left on and running. The UDAs stated that once they were positioned in the sleeper of the tractor, the last person closed the curtain, and a few minutes later, someone boarded the tractor and the truck began to move, not stopping until it reached the US Border Patrol Checkpoint in Freer, Texas.

NELSON were arrested and charged with 8 USC 1324, Transporting Undocumented Aliens. Oscar RUIZ-Garcia and Julio CONTRERAS-Hernandez were held as material witnesses.